

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK
IDS PROPERTY CASUALTY INSURANCE COMPANY,

Plaintiff,

-against-

MARK BURTON and DENNIS T. FENNEL,

Defendants.

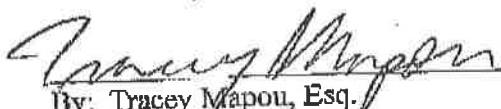
STIPULATION OF
DISCONTINUANCE
WITH PREJUDICE

Case No.: 11-CV-0026 (ER)

IT IS HEREBY STIPULATED AND AGREED by and between the undersigned, the attorneys of record for all the parties to the above-entitled action, that whereas no party hereto is an infant or incompetent person for whom a committee has been appointed and/or conservator and no person not a party has an interest in the subject matter of the action, the above-entitled action, including all claims and counterclaims asserted herein, is, and the same hereby is, discontinued, with prejudice, and without costs as against any party. This stipulation may be filed without further notice with the Clerk of the Court.

Facsimile signatures herein shall have the same force and effect as original signatures.

Dated: New York, New York
November 13, 2012



By: Tracey Mapou, Esq.
RUBIN, FIORELLA & FRIEDMAN LLP
Attorneys for Plaintiff
**IDS PROPERTY CASUALTY
INSURANCE COMPANY**
630 Third Avenue, 3rd Floor
New York, New York 10017
(212) 953-2381
Our File No.: 618-16883


By: William K. Kerrigan, Esq.
**MacCARTNEY, MacCARTNEY,
KERRIGAN & MacCARTNEY**
Attorneys for Defendant
MARK BURTON
13 North Broadway
P.O. Box 350
Nyack, New York 10960
(845) 358-0074

*Defendant DENNIS T. FENNEL never appeared in this action and a partial default judgment was entered against him on July 26, 2011 (a copy of the aforesaid partial default judgment is attached).

DC Case 7:11-cv-00026-VB Document 12 Filed 07/26/11 Page 1 of 1 *KMK, 3.*

UNITED STATES DISTRICT COURT
 SOUTHERN DISTRICT OF NEW YORK
 IDS PROPERTY CASUALTY INSURANCE COMPANY,

Plaintiff,

Case No.: 11-CV-00026 (KMK)

-against-

Kartel
DEFAULT JUDGMENT

MARK BURTON and DENNIS T. FENNEL,

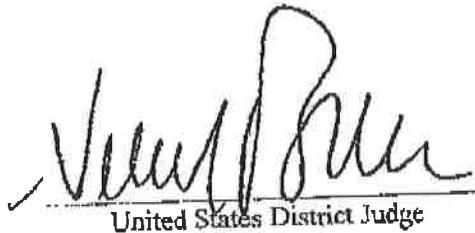
Defendants.

This action having been commenced on January 4, 2011 by the filing of the Summons and Complaint, and a copy of the Summons and Complaint having been personally served on the defendant, DENNIS T. FENNEL, on January 8, 2011, by Claire Ryan, and a proof of service having been filed on January 14, 2011, and the defendant, DENNIS T. FENNEL, not having answered the Complaint, and the time for answering the Complaint having expired, it is:

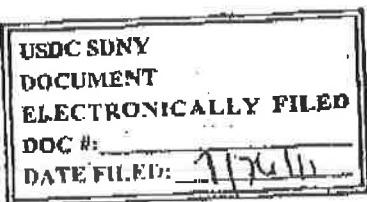
ORDERED, ADJUDGED AND DECREED that the plaintiff have judgment by default against defendant, DENNIS T. FENNEL, for the full relief requested in the Complaint.

✓ Dated: White Plains, New York

7/26, 2011



United States District Judge

This document was entered on the docket
on _____